

Judge Gerber/NYSB/02/USCOURTS

09-50026 (REG)

From: Wied <wiedb@earthlink.net>
Sent: Tuesday, June 17, 2014 2:38 PM
To: [REDACTED]
Subject: Another GM defect

To: The Honorable Robert Gerber

I have evidence and information about another defect in all GM vehicles from 1992- present.

The design of the evaporator core in the A/C does not allow it to dry thoroughly between uses. This allows for a favorable growing environment for microbials, bacteria, mold & mycotoxins. Each time you get in the passenger compartment of the vehicle you are getting contaminated with whatever is growing on the evaporator core. This mixture can become very offensive and at times physically dangerous. This exposure to mold over several years has destroyed our health, ended our careers as an engineer and teacher with our medical bills approaching over ten million dollars. Our son, who was eleven at the time, was never able to return to school. We have lost everything, including our home, retirement and savings. According to the lab that we sent our HVAC unit to, it was full of aspergillus (EPA lists it as a carcinogenic) and endotoxins.

This is a summary for some of the evidence/documents that we have about the HVAC problem in the GM vehicles. They admit the problem, have now "embedded" a fix(since 2006 in some models), but not activated it. They have had a "fix" for this problem since the late 1980's. They **do not** notify customers that they could have an issue of air contamination or odor. By the time the customer realizes it's a problem, they have already been exposed to the contaminants. GM focuses the customer complaints on an 'odor.' As if to add insult to injury, GM HVAC systems are purposely designed to be continually passing air over the evaporator core, even if the fan is off. So if your evaporator core is contaminated, you are ALWAYS being exposed to the contaminants.

Below are excerpts from Internal GM research documents from late 1980's & early 1990's detailing the problem with odor, microbial contamination, bacteria and mold – and determining a retro-fix kit solution. [They admit that the evaporator core provides an effective environment for microbials to grow]

http://dl.dropbox.com/u/21563519/research_1993.pdf

<https://dl.dropbox.com/u/21563519/Research%20-%201988.pdf>

<https://dl.dropbox.com/u/21563519/Research%20-%201989.pdf>

<https://dl.dropbox.com/u/21563519/Research%20-%201987.pdf>

Court testimony and depositions from GM engineers **admitting** they knew they had a problem and **did not notify customers.** <https://dl.dropboxusercontent.com/u/21563519/Excerpts%20from%20GM%20Engineer.doc>

There are millions of vehicles out there that have this problem. Our attorney, William Harte had just filed our appeal at the time of the bankruptcy which rendered our case moot.

The used vehicles get resold to lower & lower income families, who probably don't have insurance or funds to treat the illness they end up with or get rid of the smell. Just the money it would take to put in the retrofit kit on affected vehicles is astounding (\$600-800 per vehicle (2002 estimate).

Everyone realizes that you're taking a chance breathing in contaminated air if you're hanging around coal plants or chemical factories. When you purchase a new vehicle, one has expectations of safety. But who figures out that their own vehicle will be producing biological contaminates, blowing them directly into the passenger compartments for them to breath in daily. It's horrific to think how this contamination is affecting the elderly, children and the immune compromised. *No customer notification from GM is very disturbing.*

Regards,
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